IN THE PARSI CHIEF MATRIMONIAL COURT AT BOMBAY

SUIT NO. 31 OF 2005

Cyrus Shavak Patel
At Lyndwood House, B. Petit Road,
Mumbai - 400 026. ... Plaintiff No.1.

And

Erzaan Cyrus Patel,
At 91, Paradise Apartments,
44, Nepean Sea Rd., Mumbai-400 012.... Plaintiff No.2.

Mr. N.B. Suvarna for the plaintiffs.

Both plaintiffs present in the Court.

CORAM: P.V. KAKADE, J.

DATED: 16TH DEC., 2005

P.C.:

1. The suit is filed for decree of divorce dissolving the marriage by mutual consent as contemplated under Sec.32-B of the Parsi Marriage & Divorce Act, 1936 (hereinafter referred to as the said Act).

2. Both plaintiffs are present before the Court and submit that they were married on 6.1.2003 according to Parsi Zoroastrian rites and customs, having two children borne out of the said marriage who are at present in the custody of plaintiff No.1. Both parties agree that they shall remain in the custody of plaintiff No.1 after

dissolution of marriage.

3. Plaintiffs have submitted that they have realized that they are not compatible with each other as they are temperamentally very different from each other and because of serious differences arose between them led to regular tension in the house and every effort was made to reconcile, however, in vain and, therefore, plaintiff No.2 left the matrimonial home on 14.8.2004 and started residing separately. It is also submitted that they are leaving together for more than one year before filing of the suit i.e. from 14.8.2004. It is further submitted that the plaintiffs have signed and submitted the consent terms voluntarily and without any pressure from any party.

4. In view of this position, I do not see any reason as to why the decree for dissolution of marriage by consent should not be passed.

5. In the result, the suit is decreed in terms of prayer clause (a) and stands disposed of with no order as to costs.

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